

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Barren A. McElroy**  
**Stephanie L. McElroy**  
**fka Stephanie L. Smeltz**  
Debtor(s)

Bankruptcy Case No.: 20-20201-JAD  
Issued per 7/30/2020 Proceeding  
Chapter: 13  
Docket No.: 47 - 5, 25  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 1/7/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Dollar Bank [Claim #7]; Fayette County Tax Claim Bureau [Claim #17]; Carvana [Claim #6] .
- ☒ H. Additional Terms: The secured claim of the following creditor shall govern as to claim amount, to be paid at the modified plan terms: BB&T [Claim #4]

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 4, 2020

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Barren A. McElroy  
 Stephanie L. McElroy  
 Debtors

Case No. 20-20201-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: skoz  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 52

Date Rcvd: Aug 04, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2020.  
 db/jdb

+Barren A. McElroy, Stephanie L. McElroy, 158 Spruce Hollow Rd,  
 Connellsville, PA 15425-6064  
 cr +Dollar Bank, FSB, 300 West Tuscarawas Street, Canton, OH 44702-1911  
 15185778 +Aaa Debt Rec, Pob 129, Monroeville, PA 15146-0129  
 15185779 +Armstrong Cable, P.O.ox 37749, Philadelphia, PA 19101-5049  
 15185782 +Bullskin Township, c/o Leslie Wilttrout, 218 Wilttrout Hollow Road, White, PA 15490-1026  
 15201233 Carvana, LLC, PO Box 29018 Phoenix AZ 85038  
 15185783 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497  
 15185784 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,  
 St Louis, MO 63179-0034  
 15185787 +Commonwealth Financial Systems, 245 Main Street, Scranton, PA 18519-1641  
 15185788 +Credence Resource Management, Po Box 2300, Southgate, MI 48195-4300  
 15185791 Dollar Bank, 3 Gateway Center, Pittsburgh, PA 15222  
 15210151 Dollar Bank, FSB, c/o Elizabeth L. Slaby, Esquire, Grenen & Birsic, PC,  
 One Gateway Center, 9th Floor, Pittsburgh, PA 15222  
 15203095 Dollar Bank, FSB, c/o David W. Raphael, Esquire, Grenen & Birsic, PC,  
 One Gateway Center, 9th Floor, Pittsburgh, PA 15222  
 15203094 +Dollar Bank, FSB, 300 W. Tuscarawas Street, Canton, OH 44702-1911  
 15259539 +Fayette County Tax Claim, 61 East Main Street, Uniontown, PA 15401-3514  
 15185798 +FedLoan Servicing, Attn: Bankruptcy, Po Box 69184, Harrisburg, PA 17106-9184  
 15185794 +FedLoan Servicing, Pob 60610, Harrisburg, PA 17106-0610  
 15185802 +First Federal Credit Control, 24700 Chagrin Blvd, Cleveland, OH 44122-5662  
 15221910 +Midland Credit Management, Inc., Po Box 2037, Warren MI 48090-2037  
 15185804 +Navient, Po Box 3229, Wilmington, DE 19804-0229  
 15185807 +Ravi GI Assocaites, 4318 Northern Pike, Suite 101, Monroeville, PA 15146-2823  
 15185808 +Sears/CBNA, PO Box 6283, Sioux Falls, SD 57117-6283  
 15185809 +Stanwood Fcu, Po Drawer C 444, New Stanton, PA 15672-0417  
 15185813 +TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Financial Services, Attn: Bankruptcy Dept, Po Box 8026,  
 Cedar Rapids, IA 52409)  
 15185812 Toyota Financial Services, 111 W 22nd St, Oakbrook, IL 60521  
 15209038 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 05 2020 04:25:19  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15185780 E-mail/Text: bankruptcy@bbandt.com Aug 05 2020 04:22:44 Bb&T, Box 1847,  
 Wilson, NC 27894  
 15189920 +E-mail/Text: bankruptcy@bbandt.com Aug 05 2020 04:22:44 BB&T now Truist, Bankruptcy Section,  
 100-50-01-51, P.O. Box 1847, Wilson, NC 27894-1847  
 15185781 +E-mail/Text: dl-collectionsbankruptcyteam@drivetime.com Aug 05 2020 04:23:38 Bridgecrest,  
 PO Box 53087, Phoenix, AZ 85072-3087  
 15187852 +E-mail/Text: bankruptcy@cvaps.com Aug 05 2020 04:23:33 Cavalry SPV I, LLC,  
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321  
 15185786 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 05 2020 04:22:49 Comenity/Alphaeoncos,  
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125  
 15185785 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 05 2020 04:22:49 Comenity/Alphaeoncos,  
 Po Box 182120, Columbus, OH 43218-2120  
 15185789 +E-mail/Text: bankruptcy@credencerm.com Aug 05 2020 04:23:42 Credence Resource Management,  
 17000 Dallas Parkway, Suite 204, Dallas, TX 75248-1940  
 15185790 E-mail/Text: mrdiscen@discover.com Aug 05 2020 04:22:35 Discover Financial, Pob 15316,  
 Wilmington, DE 19850  
 15188526 E-mail/Text: mrdiscen@discover.com Aug 05 2020 04:22:35 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 15185792 +E-mail/Text: bknotice@ercbpo.com Aug 05 2020 04:23:24 Enhanced Recovery Corp,  
 Po Box 57547, Jacksonville, FL 32241-7547  
 15185793 +E-mail/Text: bknotice@ercbpo.com Aug 05 2020 04:23:23 Enhanced Recovery Corp,  
 Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville, FL 32256-7412  
 15185803 E-mail/Text: sbse.cio.bnc.mail@irs.gov Aug 05 2020 04:22:43 Internal Revenue Service,  
 PO Box 7346, Philadelphia, PA 19101-7346  
 15219784 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Aug 05 2020 04:23:29 Jefferson Capital Systems LLC,  
 Po Box 7999, Saint Cloud Mn 56302-9617  
 15185805 +E-mail/PDF: pa\_dc\_claims@navient.com Aug 05 2020 04:25:21 Navient, Attn: Bankruptcy,  
 Po Box 9640, Wiles-Barr, PA 18773-9640  
 15185806 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 05 2020 04:24:17  
 Portfolio Recovery, 120 Corporate Blvd Ste 100, Norfolk, VA 23502  
 15199252 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 05 2020 04:24:18  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 15220988 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 05 2020 04:24:48  
 Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587,  
 Greenville, SC 29603-0587  
 15224830 E-mail/Text: ebn\_bkrt\_forms@salliemae.com Aug 05 2020 04:23:39 Sallie Mae, P.O. Box 3319,  
 Wilmington, DE 19804-4319

District/off: 0315-2

User: skoz  
Form ID: 149

Page 2 of 2  
Total Noticed: 52

Date Rcvd: Aug 04, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15186144 +E-mail/PDF: gecsed@recoverycorp.com Aug 05 2020 04:24:38 Synchrony Bank,  
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
15185811 +E-mail/PDF: gecsed@recoverycorp.com Aug 05 2020 04:24:38 Synchrony Bank/Care Credit,  
Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060  
15185810 +E-mail/PDF: gecsed@recoverycorp.com Aug 05 2020 04:24:10 Synchrony Bank/Care Credit,  
PO Box 965036, Orlando, FL 32896-5036  
15215207 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 05 2020 04:24:20 Verizon,  
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457  
15185814 +E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Aug 05 2020 04:22:28  
Verizon Wireless, 500 Technology Drive, Suite 550, Saint Charles, MO 63304-2225  
15185815 E-mail/Text: bankruptcy@firstenergycorp.com Aug 05 2020 04:23:21 West Penn Power,  
PO Box 3687, Akron, OH 44309-3687  
15205663 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 05 2020 04:23:21 West Penn Power,  
5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 26

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Toyota Motor Credit Corporation  
15187857\* +Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321  
15185799\* +FedLoan Servicing, Attn: Bankruptcy, PO Box 69184, Harrisburg, PA 17106-9184  
15185800\* +FedLoan Servicing, Attn: Bankruptcy, PO Box 69184, Harrisburg, PA 17106-9184  
15185801\* +FedLoan Servicing, Attn: Bankruptcy, PO Box 69184, Harrisburg, PA 17106-9184  
15185795\* +FedLoan Servicing, POB 60610, Harrisburg, PA 17106-0610  
15185796\* +FedLoan Servicing, POB 60610, Harrisburg, PA 17106-0610  
15185797\* +FedLoan Servicing, POB 60610, Harrisburg, PA 17106-0610

TOTALS: 1, \* 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 06, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2020 at the address(es) listed below:

Abagale E. Steidl on behalf of Joint Debtor Stephanie L. McElroy asteidl@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not  
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com  
Abagale E. Steidl on behalf of Debtor Barren A. McElroy asteidl@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not  
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com  
Beth L. Slaby on behalf of Creditor Dollar Bank, FSB bslaby@grenenbirsic.com,  
mcupec@grenenbirsic.com  
David W. Raphael on behalf of Creditor Dollar Bank, FSB raphaeld@fnb-corp.com  
James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com  
Office of the United States Trustee ustregon03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7